

FIRST REGULAR SESSION

SENATE BILL NO. 151

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ENGLER.

Pre-filed December 4, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

0168S.011

AN ACT

To repeal section 252.040, RSMo, and to enact in lieu thereof one new section relating to poaching, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 252.040, RSMo, is repealed and one new section enacted
2 in lieu thereof, to be known as section 252.040, to read as follows:

252.040. 1. No wildlife shall be pursued, taken, killed, possessed or
2 disposed of except in the manner, to the extent and at the time or times
3 permitted by such rules and regulations; and any pursuit, taking, killing,
4 possession or disposition thereof, except as permitted by such rules and
5 regulations, are hereby prohibited.

6 2. Any person violating this section shall be guilty of a misdemeanor
7 [except that] **with the following exceptions:**

8 (1) Any person violating any of the rules and regulations pertaining to
9 record keeping requirements imposed on licensed fur buyers and fur dealers shall
10 be guilty of an infraction and shall be fined not less than ten dollars nor more
11 than one hundred dollars; **and**

12 (2) **Any person violating the provisions of this section while**
13 **entering or remaining unlawfully upon the real property of another**
14 **individual shall be subject to a fine of five hundred dollars and shall**
15 **pay restitution to the property owner for any property damage**
16 **resulting in a lower property value. If the person who violates the**
17 **provisions of this section while trespassing does not pay the fine or**
18 **restitution imposed by the court in the time and manner prescribed by**
19 **the court, the court shall notify the commission of such person's actions**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 for the commission's consideration of the suspension, revocation, or
21 denial of such person's permit or privilege to pursue, take, kill, possess,
22 or dispose of wildlife.

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Unofficial

Bill

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